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CENTRAL FAX CENTER****JAN 25 2005****PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:  
Tatsuji NAGAOKA  
Serial No.: 10/781,360  
Filed: 18 February 2004  
Title: MIS-TYPE SEMICONDUCTOR DEVICE  
Group Art Unit: 2811  
Examiner: N/A  
Attorney Docket No.: FUJI:283

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Date: January 25, 2005By: Lyle Kimms

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**FACSIMILE TRANSMISSION****Total Pages 3 (including this page)**

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From:	ROSSI, KIMMS & McDOWELL, LLP
Sender's Phone:	703-726-6020
Contact:	Lyle Kimms

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**COVER SHEET 1**

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PETITION FOR TIME EXTENSION  
IN REPLY TO NOTICE TO FILE MISSING PARTS

Sir:

On January 14, 2005, applicant filed a Reply to Notice to File Missing Parts with the required fees. The previous Reply required a one-month extension. Although the previous Reply did not explicitly request a petition for a first-month extension, applicant did authorize the Commissioner to charge any fees necessary to maintain pendency. It appears that the PTO did not yet charge the one-month extension fee of \$120.

Rule 136(a) specifically states that a general authorization to charge all necessary fees is a constructive petition for time extension:

An authorization to charge all required fees, fees under § 1.17, or all required extension of time fees will be treated as a constructive petition for an extension of time in any concurrent or future reply requiring a petition for an extension of time under this paragraph for its timely submission. [Rule 136(a)(3)].

SN. 10/781,360

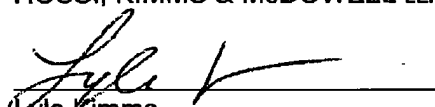
ATTORNEY DOCKET NO. FUJI:283

Accordingly, the previous reply should have been treated as constructively having being filed with a one-month extension. In this regard, applicant requests the Commissioner to charge \$120 to cover the first-month extension, if it has not been charged yet. Should the PTO, however, require any additional time extension or any other fees required to maintain the pendency of this application, the Commissioner is authorized to charge the necessary fees to Deposit Account No. 18-2056.

Respectfully submitted,

ROSSI, KIMMS &amp; McDOWELL LLP

January 25, 2005  
Date

  
Lyle Kimms  
Reg. No. 34,079

P.O. BOX 826  
Ashburn, VA 20146-0826  
703-726-6020 (Phone)  
703-726-6024 (fax)